UNITED STATES PATENT AND TRADEMARK OFFICE

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ART UNIT	PAPER NUMBER
3684	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	09/077,456	ANTHONY ET AL.
	Examiner	Art Unit	
	SUSANNA M. DIAZ	3684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>25 October 2011</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,4,6-30 and 33-58* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1,4,6-30 and 33-58* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October

25, 2011 has been entered.

Claims 1, 4, 6, 30, and 33 have been amended.

Claims 56-58 have been added.

Claims 1, 4, 6-30, and 33-58 are presented for examination.

Response to Arguments

2.   Applicant's arguments filed October 25, 2011 have been fully considered but they

are not persuasive.

Applicant argues the claims, as amended. The Examiner's position is explained

in greater detail in the updated art rejections below, which include reliance on an

additional reference (Tarbox).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1, 6-9, 11-14, 18, 20-30, 33-36, 38-43, 47, and 49-58 are rejected under

35 U.S.C. 103(a) as being unpatentable over Lawlor et al. (U.S. Patent No. 5,220,501)

in view of Moss et al. (U.S. Patent No. 5,485,370) and further in view of Tarbox (U.S.

Patent No. 5,705,798).

        Lawlor discloses:

[Claim 1]   A method for providing remote access to financial services comprising the

steps of:

        a) providing at least one business host (col. 7, lines 5-36; col. 11, lines 43-55;

col. 19, lines 37-53);

        b) linking, over a network, a server to the business host, wherein the server

contains infrastructure and business application software to access the business host

(col. 7, lines 5-48; col. 11, lines 22-55; col. 21, lines 11-46);

        c) linking, over a network, at least one automated teller machine (ATM) and at

least one home banking terminal to the server, wherein the home banking terminal is a

personal computer (Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through

col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42 – The ATM terminal sent to a

customer functions as a personal computer and is, thus, effectively a type of personal

computer within the scope of Lawlor. Furthermore, *Ex parte Pfeiffer*, 135 USPQ 31

(BdPatApp&Int 1961) states, "As to the rejection of the claims on the prior art

references, we do not agree with the appellant that such structural limitations as are not

disclosed by the references should be given patentable weight. This argument is

applicable to claims drawn to structure and not claims drawn to a method. **To be**

entitled to such weight in method claims, the recited **structural limitations** therein

must affect the method in a manipulative sense and not to amount to the mere

claiming of a use of a particular structure, which, in our opinion, is the case here." In the

instant invention, the type of terminal used does not affect the manipulative steps of the

method.);

   d) providing user software for installation by a customer on the at least one home

banking terminal and wherein when installed by the customer, the user software

enables the computer to access the infrastructure and business software located on the

server (col. 8, lines 20-31; col. 19, lines 37-53; col. 21, lines 11-46 – The terminal

comes with at least enough software/programming instructions to automatically dial the

central processor system. Interaction with the central processor system implies that the

terminal receives further programming instructions. Someone must have installed the

software at some point. The claim does not specify how the method is affected by the

nature of the person doing the installation itself; therefore, clarification of who installed

the software does not impart significant patentable weight on the claimed invention. It is

further noted that the step of actually installing the software is not a positively recited

step of the method);

   e) displaying a first user interface on a screen of the ATM and displaying a

second user interface on a screen of the home banking terminal, wherein the first user

interface and the second user interface are substantially the same (col. 8, lines 6-66;

col. 21, lines 11-46; col. 42, lines 18-38).

Regarding claim 1, Lawlor does not explicitly disclose that the customer is a

customer of the business host and "wherein when installed by the customer the user

software enables the personal computer to allow multiple customers of the business

host to each select from different languages" (so that the user interface of the screen of

the home banking terminal is displayed in the user selected language). Moss discloses

a system that emulates remote banking functions on a home terminal using an

intelligent terminal emulator. Based on the language determined to be preferred by the

home user, the appropriate ATM-related software in the desired language is

downloaded from the host and executed on the home banking terminal of each

respective user (Fig. 17; col. 4, lines 26-59; col. 5, lines 6-60; col. 6, lines 45-48; col. 7,

line 4 through col. 8, line 39; col. 14, lines 40-61; col. 17, line 60 through col. 18, line 5;

col. 29, line 43 through col. 30, line 35). Both Lawlor and Moss seek to provide users

with remote access to banking functions and Lawlor refers to multiple users accessing

the network (Figs. 1, 1A, 2); therefore, the Examiner submits that it would have been

obvious to one of ordinary skill in the remote banking art at the time of Applicant's

invention to modify Lawlor "wherein when installed by the customer the user software

enables the personal computer to allow multiple customers of the business host to each

select from different languages" so that the user interface of the screen of the home

banking terminal is displayed in the user selected language in order to increase

customer satisfaction by providing them with access to banking functions from the

comfort of a remote location and with the convenience of being able to conduct

transactions in each user's preferred language. Again, the step of installation is not

explicitly performed within the scope of method claim 1 and the language capabilities

are only made available "when" the software is installed. It is possible, within the scope

of claim 1, that the software is never installed. If never installed, there is no requirement

that the language capabilities be made available. Even if installed, the different

language capabilities are only made available. The use of the software in multiple

languages is not actively performed within the scope of claim 1 either. Nevertheless, as

discussed above, Moss explains that a home terminal may emulate banking software in

multiple languages (e.g., see fig. 17; col. 29, line 43 through col. 30, line 26 of Moss). In

Moss, the user has to activate a session through the home terminal in order to

download banking functionality from the host (Moss: col. 9, line 29 through col. 10, line

4). Moss' user would be a customer of the host. Again, the nature of who or what

downloads the software within the scope of the claimed invention does not alter the

claimed invention as a whole. Allowing various type of users to perform the download

would facilitate convenience (e.g., for a customer of the host to quickly download the

software without waiting for help). Additionally, Tarbox serves as further evidence that

the concept of customizing a financial transaction screen to each individual user based

on an identification of the user and his/her language preferences (as seen in col 1, lines

50-61; col. 2, lines 55-65 of Tarbox) was old and well-known in the art of financial

transactions. This further supports the assertion that the Lawlor-Moss combination to

provide ATM transaction functionality at any location (including at a physical ATM or emulated on a customer's home computer/terminal) would have been obvious to one of ordinary skill in the financial transaction art at the time of Applicant's invention. Providing software with user-specific language preferences would have yielded the predictable and expected results thereof (as discussed above), regardless of where the software is located and/or being utilized by a customer. The fact that a single ATM can service multiple customers in multiple different languages is analogous to the ability to service multiple customers in a household in multiple different languages. The location of the software does not affect how the software operates within the scope of the invention, as claimed.

Lawlor discloses:

[Claim 56]   wherein when installed by the customer the user software enables the customer to configure the personal computer to use to a communication method with the server, the communication method available at the home of the customer (Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42; col. 21, lines 19-46 – The ATM terminal sent to a customer functions as a personal computer and is, thus, effectively a type of personal computer within the scope of Lawlor).

Lawlor discloses:

[Claim 6]   A method for performing financial transactions from a location remote from

a business host comprising the steps of:

a) providing an automated teller machine (ATM) having a first user interface for

display on a screen of the ATM (Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line

55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42);

b) installing user software on a remote terminal, the remote terminal having a

second user interface for display on a screen of the remote terminal, the second user

interface is substantially identical to the first user interface (Fig. 1A; col. 6, lines 56-60;

col. 8, lines 6-66; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11,

lines 22-42; col. 21, lines 11-46; col. 42, lines 18-38; Someone must have installed the

software at some point);

d) establishing an electronic link between the remote terminal and a server (col.

7, lines 5-48; col. 11, lines 22-55; col. 21, lines 11-46); and

e) establishing an electronic link between the server and a business host (col. 7,

lines 5-48; col. 11, lines 22-55; col. 21, lines 11-46).

Regarding claim 6, Lawlor does not explicitly disclose "wherein the user software

when installed on the remote terminal enables the remote terminal to allow multiple

users of the remote terminal to each select from different languages when accessing

the remote terminal and enables configuration by the user of the remote terminal for a

communication method available at a home of a user" and "c) configuring the user

interfaces to display data in the language selected by a user." Moss discloses a system

that emulates remote banking functions on a home terminal using an intelligent terminal

emulator. Based on the language determined to be preferred by the home user, the

appropriate ATM-related software in the desired language is downloaded from the host

and executed on the home banking terminal of each respective user (Fig. 17; col. 4,

lines 26-59; col. 5, lines 6-60; col. 6, lines 45-48; col. 7, line 4 through col. 8, line 39; col.

14, lines 40-61; col. 17, line 60 through col. 18, line 5; col. 29, line 43 through col. 30,

line 35). Both Lawlor and Moss seek to provide users with remote access to banking

functions; therefore, the Examiner submits that it would have been obvious to one of

ordinary skill in the remote banking art at the time of Applicant's invention to modify

Lawlor such that "the user software when installed on the remote terminal enables the

remote terminal to allow multiple users of the remote terminal to each select from

different languages when accessing the remote terminal and enables configuration by

the user of the remote terminal for a communication method available at a home of a

user" and to perform the step of "c) configuring the user interfaces to display data in the

language selected by a user" in order to increase customer satisfaction by providing

them with access to banking functions from the comfort of a remote location and with

the convenience of being able to conduct transactions in each user's preferred

language. Again, the step of installation is not explicitly performed within the scope of

method claim 6 and the language capabilities are only made available "when" the

software is installed. It is possible, within the scope of claim 6, that the software is

never installed. If never installed, there is no requirement that the language capabilities

be made available. Even if installed, the different language capabilities are only made

available. The use of the software in multiple languages is not actively performed within

the scope of claim 6 either. Nevertheless, as discussed above, Moss explains that a

home terminal may emulate banking software in multiple languages (e.g., see fig. 17;

col. 29, line 43 through col. 30, line 26 of Moss). In Moss, the user has to activate a

session through the home terminal in order to download banking functionality from the

host (Moss: col. 9, line 29 through col. 10, line 4). Moss' user would be a customer of

the host. Again, the nature of who or what downloads the software within the scope of

the claimed invention does not alter the claimed invention as a whole. Allowing various

type of users to perform the download would facilitate convenience (e.g., for a customer

of the host to quickly download the software without waiting for help). Additionally,

Tarbox serves as further evidence that the concept of customizing a financial

transaction screen to each individual user based on an identification of the user and

his/her language preferences (as seen in col 1, lines 50-61; col. 2, lines 55-65 of

Tarbox) was old and well-known in the art of financial transactions. This further

supports the assertion that the Lawlor-Moss combination to provide ATM transaction

functionality at any location (including at a physical ATM or emulated on a customer's

home computer/terminal) would have been obvious to one of ordinary skill in the

financial transaction art at the time of Applicant's invention. Providing software with

user-specific language preferences would have yielded the predictable and expected

results thereof (as discussed above), regardless of where the software is located and/or

being utilized by a customer. The fact that a single ATM can service multiple customers

in multiple different languages is analogous to the ability to service multiple customers

in a household in multiple different languages. The location of the software does not

affect how the software operates within the scope of the invention, as claimed.

        Lawlor discloses:

[Claim 7]   authenticating the identity of a user by comparing a personal identification

number (PIN) of a user with a PIN resident on the server (col. 9, line 53 through col. 10,

line 2; col. 28, lines 1-11);

[Claim 8]   encrypting and transmitting data between the remote terminal and the

server (col. 21, lines 16-46; col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65);

[Claim 9]   in which the step of installing user software on a remote terminal is

performed by installing the software on a personal computer (col. 8, lines 20-31; col. 19,

lines 37-53; col. 21, lines 11-46 – The terminal comes with at least enough

software/programming instructions to automatically dial the central processor system.

Interaction with the central processor system implies that the terminal receives further

programming instructions. The claim does not specify which user installed the software

on the terminal. Someone must have installed the software at some point; Fig. 1A; col.

6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-

53; col. 11, lines 22-42 – The ATM terminal sent to a customer functions as a personal

computer and is, thus, effectively a type of personal computer within the scope of

Lawlor. Furthermore, *Ex parte Pfeiffer*, 135 USPQ 31 (BdPatApp&Int 1961) states, "As

to the rejection of the claims on the prior art references, we do not agree with the

appellant that such structural limitations as are not disclosed by the references should

be given patentable weight. This argument is applicable to claims drawn to structure

and not claims drawn to a method. **To be entitled to such weight in method claims**,

the recited **structural limitations** therein **must affect the method** in a manipulative

sense and not to amount to the mere claiming of a use of a particular structure, which,

in our opinion, is the case here." In the instant invention, the type of terminal used does

not affect the manipulative steps of the method.);

[Claim 11]   performing a financial transaction (col. 20, line 44 through col. 23, line 8);

[Claim 12]   in which the step of performing a financial transaction is performed by

editing a payee list (col. 42, line 60 through col. 43, line 24);

[Claim 13]   in which the step of performing a financial transaction is performed by

authorizing a direct debit (col. 21, line 53 through col. 22, line 60);

[Claim 14]   in which the step of performing a financial transaction is performed by

deleting a direct debit (col. 22, lines 16-21 -- A credit against a past POS debit is

effectively the deletion of a direct debit);

[Claim 18]   in which the step of performing a financial transaction is performed by

reviewing account information (col. 20, line 16 through col. 23, line 8);

[Claim 20]   in which the step of performing a financial transaction is performed by

generating a transaction journal (col. 20, lines 44-53);

[Claim 21]   in which the step of performing a financial transaction is performed by

transferring assets from a first account selected from a plurality of accounts to second

account selected from the plurality of accounts (col. 20, line 16 through col. 23, line 8);

[Claim 22]   exchanging the assets of the first account to a currency consistent with the

second account (col. 20, line 16 through col. 23, line 8 – This is understood to occur for

any transfer of funds among accounts. There is no requirement in the claim language

that the currency of each account necessarily be distinct.);

[Claim 23]   in which the step of performing a financial transaction is performed by

ordering checks (col. 7, lines 64-56; col. 20, lines 62-66 -- Requesting bill payment

through use of a check, including a paper or an electronic one, is effectively a type of

check order);

[Claim 24]   in which the step of performing a financial transaction is performed by

printing an account statement (col. 7, lines 60-63);

[Claim 25]   in which the step of performing a financial transaction is performed by

printing a balance summary (col. 7, lines 60-63; col. 10, lines 24-26);

[Claim 26]   in which the step of performing a financial transaction is performed by

processing a payment (col. 20, line 16 through col. 23, line 8);

[Claim 27]   in which the step of establishing an electronic link between the remote

terminal and a server further comprises the steps of:

        a) sending an authorizing message to the server (col. 21, lines 16-46; col. 27,

line 38 through col. 28, line 11; col. 31, lines 59-65);

        b) sending the authorizing message to a bank security server (col. 21, lines 16-

46; col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65);

        c) sending the authorizing message to a bank hardware device (col. 21, lines 16-

46; col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65);

[Claim 28]   in which the step of establishing an electronic link between the server and

a service provider further comprises the steps of:

a) sending an authorizing message to the business host (col. 21, lines 16-46;

col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65); and

b) sending a message from the business host to the server, in which the

message authorizes hookup (col. 21, lines 16-46; col. 27, line 38 through col. 28, line

11; col. 31, lines 59-65);

[Claim 29]   sending a marketing message from the business host to the remote

terminal (col. 14, lines 10-16).

Lawlor discloses:

[Claim 30]   A system for providing remote access to financial services comprising:

a) at least one business host (col. 7, lines 5-36; col. 11, lines 43-55; col. 19, lines

37-53);

b) a server selectively electronically linked to the business host (col. 7, lines 5-48;

col. 11, lines 22-55; col. 21, lines 11-46);

c) at least one automated teller machine (ATM) having a first user interface

displayed on a screen of the ATM, in which the ATM is electronically linked to the server

(Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col.

10, lines 44-53; col. 11, lines 22-42 – The ATM terminal sent to a customer functions as

a personal computer and is, thus, effectively a type of personal computer within the

scope of Lawlor.); and

d) at least one home banking terminal having a second user interface displayed

on a screen of the home banking terminal, in which the home banking terminal is

electronically linked to the server and in which the first and second user interfaces are

substantially the same (col. 8, lines 6-66; col. 21, lines 11-46; col. 42, lines 18-38);

e) user software for installation by a customer on the at least one home banking

terminal, and wherein the user software accesses the application software located on

the server (col. 8, lines 20-31; col. 19, lines 37-53; col. 21, lines 11-46 – The terminal

comes with at least enough software/programming instructions to automatically dial the

central processor system. Interaction with the central processor system implies that the

terminal receives further programming instructions. Someone must have installed the

software at some point. A "customer" is just a label for a person. The claim does not

specify whose customer the claimed customer is or how the method is affected by the

nature of the person doing the installation itself; therefore, clarification of who installed

the software does not impart significant patentable weight on the claimed invention).

Regarding claim 30, Lawlor does not explicitly disclose "wherein the user

software allows multiple users of the at least one home banking terminal to each select

from different languages" so that the user interface of the screen of the home banking

terminal is displayed in the user selected language. Moss discloses a system that

emulates remote banking functions on a home terminal using an intelligent terminal

emulator. Based on the language determined to be preferred by the home user, the

appropriate ATM-related software in the desired language is downloaded from the host

and executed on the home banking terminal of each respective user (Fig. 17; col. 4,

lines 26-59; col. 5, lines 6-60; col. 6, lines 45-48; col. 7, line 4 through col. 8, line 39; col.

14, lines 40-61; col. 17, line 60 through col. 18, line 5; col. 29, line 43 through col. 30,

line 35). Both Lawlor and Moss seek to provide users with remote access to banking

functions and Lawlor refers to multiple users accessing the network (Figs. 1, 1A, 2);

therefore, the Examiner submits that it would have been obvious to one of ordinary skill

in the remote banking art at the time of Applicant's invention to modify Lawlor "wherein

the user software allows multiple users of the at least one home banking terminal to

each select from different languages" so that the user interface of the screen of the

home banking terminal is displayed in the user selected language in order to increase

customer satisfaction by providing them with access to banking functions from the

comfort of a remote location and with the convenience of being able to conduct

transactions in each user's preferred language. Additionally, Tarbox serves as further

evidence that the concept of customizing a financial transaction screen to each

individual user based on an identification of the user and his/her language preferences

(as seen in col 1, lines 50-61; col. 2, lines 55-65 of Tarbox) was old and well-known in

the art of financial transactions. This further supports the assertion that the Lawlor-

Moss combination to provide ATM transaction functionality at any location (including at

a physical ATM or emulated on a customer's home computer/terminal) would have been

obvious to one of ordinary skill in the financial transaction art at the time of Applicant's

invention. Providing software with user-specific language preferences would have

yielded the predictable and expected results thereof (as discussed above), regardless of

where the software is located and/or being utilized by a customer. The fact that a single

ATM can service multiple customers in multiple different languages is analogous to the

ability to service multiple customers in a household in multiple different languages. The

location of the software does not affect how the software operates within the scope of

the invention, as claimed.

Lawlor discloses:

[Claim 57]   wherein when installed by the customer, the user software enables the

customer to configure the home banking terminal to use a communication method with

the server, the communication method available at the home of the customer (Fig. 1A;

col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines

44-53; col. 11, lines 22-42; col. 21, lines 19-46).

Lawlor discloses:

[Claim 33]   A system for providing remote access to financial services comprising:

        a) at least one business host (col. 7, lines 5-36; col. 11, lines 43-55; col. 19, lines

37-53);

        b) a server selectively electronically linked to the business host (col. 7, lines 5-48;

col. 11, lines 22-55; col. 21, lines 11-46);

        c) at least one automated teller machine (ATM) electronically linked to the server

in which the ATM displays on a screen of the ATM a first user interface (Fig. 1A; col. 6,

lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53;

col. 11, lines 22-42);

d) at least one home banking terminal further comprising a user supplied platform

and user software installed by a customer thereon in which when installed the software

enables the home banking terminal to display on a screen of the home banking terminal

a second user interface (col. 9, line 53 through col. 10, line 2; col. 31, lines 50-58;

Someone must have installed the software at some point. The claim does not specify

how the method is affected by the nature of the person doing the installation itself;

therefore, clarification of who installed the software does not impart significant

patentable weight on the claimed invention. It is further noted that the function of

actually installing the software is only conditionally performed, as evidenced by the

"when" language);

e) in which the first and second user interfaces are substantially identical (Fig. 1;

col. 5, lines 32-45; col. 6, lines 15-25) (col. 8, lines 6-66; col. 21, lines 11-46; col. 42,

lines 18-38).

Regarding claim 33, Lawlor does not explicitly disclose that the customer is a

customer of the business host and that each interface is displayed in a language

selected by a user and "wherein said software enables the home banking terminal to

allow multiple users to select different languages when accessing said at least one

home banking terminal." Moss discloses a system that emulates remote banking

functions on a home terminal using an intelligent terminal emulator. Based on the

language determined to be preferred by the home user, the appropriate ATM-related

software in the desired language is downloaded from the host and executed on the

home banking terminal of each respective user (Fig. 17; col. 4, lines 26-59; col. 5, lines

6-60; col. 6, lines 45-48; col. 7, line 4 through col. 8, line 39; col. 14, lines 40-61; col. 17,

line 60 through col. 18, line 5; col. 29, line 43 through col. 30, line 35). Both Lawlor and

Moss seek to provide users with remote access to banking functions; therefore, the

Examiner submits that it would have been obvious to one of ordinary skill in the remote

banking art at the time of Applicant's invention to modify Lawlor such that each interface

is displayed in a language selected by a user and "wherein said software enables the

home banking terminal to allow multiple users to select different languages when

accessing said at least one home banking terminal" in order to increase customer

satisfaction by providing them with access to banking functions from the comfort of a

remote location and with the convenience of being able to conduct transactions in each

user's preferred language. Again, the function of installation is only conditionally

performed, as evidenced by the "when" language. It is possible, within the scope of

claim 33, that the software is never installed. If never installed, there is no requirement

that the language capabilities be made available. Even if installed, the different

language capabilities are only made available. The use of the software in multiple

languages is not actively performed within the scope of claim 33 either. Nevertheless,

as discussed above, Moss explains that a home terminal may emulate banking software

in multiple languages (e.g., see fig. 17; col. 29, line 43 through col. 30, line 26 of Moss).

In Moss, the user has to activate a session through the home terminal in order to

download banking functionality from the host (Moss: col. 9, line 29 through col. 10, line 4). Moss' user would be a customer of the host. Again, the nature of who or what downloads the software within the scope of the claimed invention does not alter the claimed invention as a whole. Allowing various type of users to perform the download would facilitate convenience (e.g., for a customer of the host to quickly download the software without waiting for help). Additionally, Tarbox serves as further evidence that the concept of customizing a financial transaction screen to each individual user based on an identification of the user and his/her language preferences (as seen in col 1, lines 50-61; col. 2, lines 55-65 of Tarbox) was old and well-known in the art of financial transactions. This further supports the assertion that the Lawlor-Moss combination to provide ATM transaction functionality at any location (including at a physical ATM or emulated on a customer's home computer/terminal) would have been obvious to one of ordinary skill in the financial transaction art at the time of Applicant's invention. Providing software with user-specific language preferences would have yielded the predictable and expected results thereof (as discussed above), regardless of where the software is located and/or being utilized by a customer. The fact that a single ATM can service multiple customers in multiple different languages is analogous to the ability to service multiple customers in a household in multiple different languages. The location of the software does not affect how the software operates within the scope of the invention, as claimed.

Lawlor discloses:

[Claim 58]   wherein when installed by the customer, the user software enables the

customer to configure the home banking terminal to use a communication method with

the server, the communication method available at the home of the customer (Fig. 1A;

col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines

44-53; col. 11, lines 22-42; col. 21, lines 19-46).

    Lawlor discloses:

[Claim 34]   in which the user software further comprises:

    a) a runtime application (col. 8, lines 20-31; col. 19, lines 37-53; col. 21, lines 11-

46 – This is understood to be part of the software);

    b) an installation program (col. 8, lines 20-31; col. 19, lines 37-53; col. 21, lines

11-46 – This is understood to be part of the software);

    c) a configuration program (col. 8, lines 20-31; col. 19, lines 37-53; col. 21, lines

11-46 – This is understood to be part of the software);

    d) a help program (col. 9, lines 41-46);

[Claim 35]   in which the server further comprises:

    a) a packet assembler/dissembler;

    b) a session controller;

    c) a customer activated terminal (CAT) terminal protocol interface;

    d) a terminal application front end;

    e) a CAT session manager;

    f) a CAT common integrator;

g) a secure encryption server;

h) a secure encryption server;

i) a host message normalizer;

j) an X.25 normalizer; and

k) at least one business application (Regarding a)-k), Fig. 1A; col. 6, lines 56-60;

col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11,

lines 22-42 of Lawlor disclose an ATM network that interconnects remote terminals,

other computers, and ATMs. An ATM is a type of customer activated terminal (CAT).

The terminals are set up to run like ATM machines, as seen in col. 42, lines 18-38 of

Lawlor; therefore, they too effectively use the CAT protocol interface, session manager,

integrator, etc. Lawlor utilizes the X.25 protocol along with packet assemblers and

disassemblers (col. 17, lines 58-66). Typical X.25 components, such as a normalizer,

would be included as well. When a user enters his/her PIN to access the banking

network through the remote terminal, a session must be controlled. Network

communications are encrypted, as seen in col. 21, lines 16-46; col. 27, line 38 through

col. 28, line 11; col. 31, lines 59-65 of Lawlor.);

[Claim 36]   in which the electronic links between the server and the business host, the

ATM and the remote terminal are secure (col. 21, lines 16-46; col. 27, line 38 through

col. 28, line 11; col. 31, lines 59-65);

[Claim 38]   further comprising a router (col. 17, lines 43-53; col. 21, line 20 -- Dial-up

telephone networks imply use of a router, especially when dealing with the Internet.);

[Claim 39]   in which the router is a small financial CAT gateway (Fig. 1A; col. 6, lines

56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col.

11, lines 22-42 of Lawlor disclose an ATM network that interconnects remote terminals,

other computers, and ATMs. An ATM is a type of customer activated terminal (CAT).

The terminals are set up to run like ATM machines, as seen in col. 42, lines 18-38 of

Lawlor; therefore, they too effectively use the CAT protocol interface, session manager,

integrator, gateway, etc.);

[Claim 40]   in which there are at least two business hosts where a first of the business

hosts is a user's home institution and the second of the business hosts is an outside

business provider (col. 21, lines 19-67);

[Claim 41]   in which the business application allows the user to edit a payee list (col.

42, line 60 through col. 43, line 24);

[Claim 42]   in which the business application allows the user to authorize a direct

debit (col. 21, line 53 through col. 22, line 60);

[Claim 43]   in which the business application allows the user to delete a direct debit

(col. 22, lines 16-21 -- A credit against a past POS debit is effectively the deletion of a

direct debit);

[Claim 47]   in which the business application allows the user to review account

information (col. 20, line 16 through col. 23, line 8);

[Claim 49]   in which the business application allows the user to generate a transaction

journal (col. 20, lines 44-53);

[Claim 50]   in which the business application allows the user to transfer assets from a

first account selected from a plurality of accounts to second account selected from the

plurality of accounts (col. 20, line 16 through col. 23, line 8);

[Claim 51]   in which the business application allows the user to exchange the assets

of the first account to a currency consistent with the second account (col. 20, line 16

through col. 23, line 8 – This is understood to occur for any transfer of funds among

accounts. There is no requirement in the claim language that the currency of each

account necessarily be distinct.);

[Claim 52]   in which the business application allows the user to order checks (col. 7,

lines 64-56; col. 20, lines 62-66 -- Requesting bill payment through use of a check,

including a paper or an electronic one, is effectively a type of check order);

[Claim 53]   in which the business application allows the user to print an account

statement (col. 7, lines 60-63);

[Claim 54]   in which the business application allows the user to print a balance

summary (col. 7, lines 60-63; col. 10, lines 24-26);

[Claim 55]   in which the business application allows the user to process a payment

(col. 20, line 16 through col. 23, line 8).

5.   Claims 4, 10, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Lawlor et al. (U.S. Patent No. 5,220,501) in view of Moss et al. (U.S. Patent No.

5,485,370) in view of Tarbox (U.S. Patent No. 5,705,798), as applied to claims 6 and 33

above, in view of Official Notice [now admitted prior art].

Lawlor discloses:

[Claim 4]   A method for allowing a plurality of users to remotely access financial

services of at least one service provider comprising the steps of:

a) installing user software on a plurality of remote terminals available to all users

wishing to access the financial services, the plurality of remote terminals including a first

terminal and a second terminal, wherein the second terminal is of a different type than

the first terminal (Figs. 1, 1A, 2; col. 7, lines 5-48; col. 8, lines 20-31; col. 11, lines 22-

55; col. 19, lines 37-53; col. 21, lines 11-46 -- The terminal comes with at least enough

software/programming instructions to automatically dial the central processor system.

Interaction with the central processor system implies that the terminal receives further

programming instructions. Someone must have installed the software at some point.

ATMs, remote terminals, and other computers are all connected to the network and

facilitate financial services);

b) allowing multiple users of the plurality of remote terminals to configure the user

software to reflect each user's preferences and to configure a communication method of

the user's terminal with a standard international host in accordance with communication

methods available at the user's home (col. 9, line 53 through col. 10, line 2; col. 21, lines

19-46 -- The ATM network may be an Internet network, which is a standard international

host; col. 42, lines 18-38; col. 31, lines 50-58 – A PIN identifies each user, so that the

system knows which account information to access. A user may only view his/her

assigned account information.);

c) providing a uniform connection between the remote terminals to the standard
international host, the uniform connection including a uniform user interface for each
user on screens of the first terminal and the second terminal (col. 21, lines 19-46 -- The
ATM network may be an Internet network, which is a standard international host; col.
42, lines 18-38);

d) providing a plurality of business applications resident on the standard
international host, in which the configuration of each of the applications is controlled at
the standard international host and wherein the plurality of business applications can be
accessed by the user software (col. 19, line 20 through col. 23, line 8);

e) linking the standard international host to the service provider (col. 19, line 20
through col. 23, line 8 -- The ATM network may be an Internet network, which is a
standard international host.);

f) providing secure communication between the user, the standard international
host and the service provider (col. 21, lines 16-46; col. 27, line 38 through col. 28, line
11; col. 31, lines 59-65);

g) providing enhanced error detection and correction for communications
between the user, the standard international host and the service provider (col. 45, lines
12-63).

Regarding claim 4, Lawlor does not explicitly disclose "wherein the [configured
user] preferences include a language." Moss discloses a system that emulates remote
banking functions on a home terminal using an intelligent terminal emulator. Based on

the language determined to be preferred by the home user, the appropriate ATM-related

software in the desired language is downloaded from the host and executed on the

home banking terminal of each respective user (Fig. 17; col. 4, lines 26-59; col. 5, lines

6-60; col. 6, lines 45-48; col. 7, line 4 through col. 8, line 39; col. 14, lines 40-61; col. 17,

line 60 through col. 18, line 5; col. 29, line 43 through col. 30, line 35). Both Lawlor and

Moss seek to provide users with remote access to banking functions; therefore, the

Examiner submits that it would have been obvious to one of ordinary skill in the remote

banking art at the time of Applicant's invention to modify Lawlor "wherein the [configured

user] preferences include a language" in order to increase customer satisfaction by

providing them with access to banking functions from the comfort of a remote location

and with the convenience of being able to conduct transactions in each user's preferred

language. Additionally, Tarbox serves as further evidence that the concept of

customizing a financial transaction screen to each individual user based on an

identification of the user and his/her language preferences (as seen in col 1, lines 50-

61; col. 2, lines 55-65 of Tarbox) was old and well-known in the art of financial

transactions. This further supports the assertion that the Lawlor-Moss combination to

provide ATM transaction functionality at any location (including at a physical ATM or

emulated on a customer's home computer/terminal) would have been obvious to one of

ordinary skill in the financial transaction art at the time of Applicant's invention.

Providing software with user-specific language preferences would have yielded the

predictable and expected results thereof (as discussed above), regardless of where the

software is located and/or being utilized by a customer. The fact that a single ATM can

service multiple customers in multiple different languages is analogous to the ability to

service multiple customers in a household in multiple different languages. The location

of the software does not affect how the software operates within the scope of the

invention, as claimed.

Regarding claim 4, Lawlor does not explicitly disclose h) providing data

compression for communications between the user, the standard international host and

the service provider; however, Official Notice is taken that it was old and well-known in

the art of data transmission at the time of Applicant's invention to compress data for

communications [now admitted prior art]. Data compression decreases the amount of

system resources (e.g., bandwidth) required to transmit data. Therefore, the Examiner

submits that it would have been obvious to one of ordinary skill in the art at the time of

Applicant's invention to modify Lawlor to perform h) providing data compression for

communications between the user, the standard international host and the service

provider in order to reduce the amount of system resources (e.g., bandwidth) required

to transmit data.

[Claim 10]   Lawlor does not explicitly disclose that the step of installing user software

on a remote terminal is performed by installing the software on a personal data

assistant; however, Official Notice is taken that the use of personal data assistants was

old and well-known in the software art at the time of Applicant's invention [now admitted

prior art]. Similar to Lawlor's remote terminal and other disclosed computers, a personal

data assistant is a similar programmed device. One of ordinary skill in the software art

would have easily known how to substitute a personal data assistant to function

similarly as the remote terminal and other disclosed computers in Lawlor. The results of

substituting the personal data assistant accordingly would have also been predictable

since a personal data assistant is merely another type of software processing device.

[Claim 37]   Lawlor discloses that enhanced error detection and correction are used to

preserve the integrity of the data being transmitted (col. 45, lines 12-63), yet Lawlor

does not explicitly disclose that the electronic links between the server and the business

host, the ATM and the remote terminal carry data transmissions in which at least some

of the data transmissions are compressed. However, Official Notice is taken that it was

old and well-known in the art of data transmission at the time of Applicant's invention to

compress data for communications [now admitted prior art]. Data compression

decreases the amount of system resources (e.g., bandwidth) required to transmit data.

Therefore, the Examiner submits that it would have been obvious to one of ordinary skill

in the art at the time of Applicant's invention to modify Lawlor such that the electronic

links between the server and the business host, the ATM and the remote terminal carry

data transmissions in which at least some of the data transmissions are compressed in

order to reduce the amount of system resources (e.g., bandwidth) required to transmit

data.

6.   Claims 15-17, 19, 44-46, and 48 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Lawlor et al. (U.S. Patent No. 5,220,501) in view of Moss et al. (U.S.

Patent No. 5,485,370) in view of Tarbox (U.S. Patent No. 5,705,798), as applied to

claims 6, 11, 33, and 35 above, and further in view of Citibank's Direct Access banking

service (as disclosed in Munroe, Tony. "Citibank Offers Service Link Through

Computers at Home." Washington Times, Washington, D.C., Section B, page 7,

November 10, 1994).

[Claims 15-17, 19, 44-46, 48]   Lawlor does not explicitly disclose that the step of

performing a financial transaction is performed by purchasing a mutual fund (claims 15,

44), selling a mutual fund (claims 16, 45), selecting a mutual fund and reviewing a

mutual fund (claims 17, 46), or reviewing securities information (claims 19, 48);

however, (similar to Lawlor) Citibank's Direct Access banking service allows user to

perform banking services from home. One such service involves the ability to "buy and

sell stocks and mutual funds" through a home banking terminal (Citibank: page 1). This

Citibank service provides increased convenience to home banking customers (e.g.,

"Citibank now wants to save customers the trouble of writing checks and balancing

checkbooks by providing an array of at-home banking services" -- see page 1 of

Citibank). The Examiner submits that it would have been obvious to one of ordinary

skill in the home banking art at the time of Applicant's invention to modify Lawlor to

additionally facilitate financial transactions that include purchasing a mutual fund (claims

15, 44), selling a mutual fund (claims 16, 45), selecting a mutual fund and reviewing a

mutual fund (claims 17, 46), or reviewing securities information (claims 19, 48) in order

to provide increased convenience and improved customer service for their customers.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SUSANNA M. DIAZ whose telephone number is

(571)272-6733. The examiner can normally be reached on Monday-Friday, 8 am - 4:30

pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jason Dunham can be reached on (571) 272-8109. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Susanna M. Diaz/
Primary Examiner, Art Unit 3684